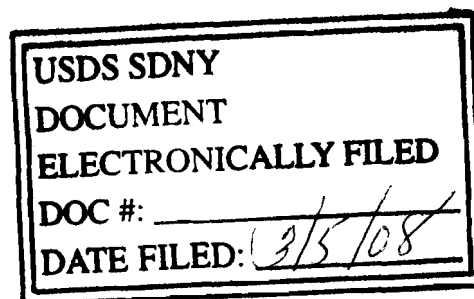


MEMO ENDORSED



MICHAEL A. CARDOZO
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

MARK D. ZUCKERMAN
Senior Counsel
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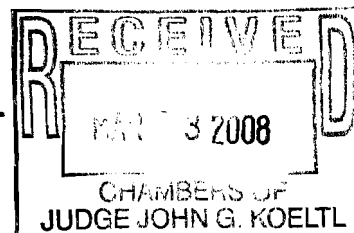
ANSWER DUE 5/5/2008.
CONFERENCE ADJOURNED
TO THURSDAY, 5/8/2008
AT 4:30PM.

March 3, 2008

BY FACSIMILE (212) 805-7912

The Honorable John G. Koeltl
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

SO ORDERED
3/4/08
J S O J



Re: Charles Gaylord v. City of New York, et al., 07 Civ. 11599 (JGK)

Your Honor:

I am Senior Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, representing defendant City of New York in the above-referenced matter. I write with respect to the above-referenced matter in which plaintiff alleges that his constitutional rights were violated by defendants. Defendant City respectfully requests an extension of time to answer or otherwise respond to this complaint from March 17, 2008 until May 5, 2008. Plaintiff has consented to this request for an extension of time.

As of the date of this letter, plaintiff's counsel has stated that at least one of the named individual defendants has not been served with the summons and complaint in this action. Although plaintiff's counsel purports to have served the remainder of the eight individual defendants, at least one of them was only purportedly served within the past 10 days. The requested extension will give this office an opportunity to determine whether the defendant officers are entitled to representation by this office. See *Mercurio v. The City of New York, et al.*, 758 F.2d 862, 864-65 (2d Cir. 1985) (quoting *Williams v. City of New York, et al.*, 64 N.Y.2d 800, 486 N.Y.S.2d 918 (1985) (decision whether to represent individual defendants is made by the Corporation Counsel as set forth in state law)).

It is our goal, therefore, if possible, that all defendants may answer or otherwise respond to the complaint at one time on or by May 5, 2008, instead of filing several separate

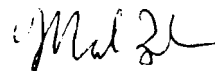
answers or responses. This will promote judicial economy. The requested extension will potentially allow this to occur.

The Court previously granted defendant The City of New York's request for an extension of time to answer to March 17, 2008. For the reasons set forth herein, we respectfully request that defendant City of New York's time to answer or otherwise respond to the complaint be extended to May 5, 2008.

The Court has set an initial conference in this matter for March 24, 2008 at 4:30 P.M. We also request that this conference be adjourned to a date after May 5, 2008.

Thank you for your consideration herein.

Respectfully submitted,



Mark D. Zuckerman
Senior Counsel

cc: Rose M. Weber, Esq. (Via Facsimile)